

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2629

Introduced by Assembly Member Roger Hernández

February 19, 2016

An act to ~~amend Section 8009 of the Business and Professions Code,~~
amend Section 69951 of, and to amend, repeal, and add Section 69950
of, the Government Code, relating to court reporters.

LEGISLATIVE COUNSEL'S DIGEST

AB 2629, as amended, Roger Hernández. Court reporters.

Existing law provides that the fee for original transcripts prepared by an official court reporter or by a court reporter pro tempore is \$0.85 for each 100 words, and for each copy purchased at the same time, \$0.15 for each 100 words. Existing law provides that the fee for a first copy of a transcript by a person who does not simultaneously purchase the original transcript is \$0.20 for each 100 words, and for each additional copy purchased at the same time, \$0.15 for each 100 words. Existing law authorizes a court reporter, in civil cases, to charge an additional 50% for special daily copy service.

This bill would increase the fee charged for original transcripts and copies incrementally commencing January 1, 2017. The bill would provide that on and after January 1, 2019, the fee for an original transcript is \$1.24 for each 100 words, and for each copy purchased at the same time, \$0.22 for each 100 words. The bill would provide that on and after January 1, 2019, the fee for a first copy of a transcript that is not simultaneously purchased with the original transcript is \$0.29 for each 100 words, and for each additional copy purchased at the same time, \$0.22 for each 100 words. The bill would provide that on and

after April 1, 2020, and on or before each April 1 thereafter; the fee charged for original transcripts and copies shall be increased proportionally by the increase in the Consumer Price Index for All Urban Consumers, as specified, and would require the Administrative Office of the Courts to publish an updated transcript fee schedule. The bill would also provide that the fee for transcription is an additional 50% for special daily copy service.

~~Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California in the Department of Consumer Affairs. Existing law requires disciplinary proceedings under these provisions to be conducted in accordance with existing administrative adjudication provisions.~~

~~This bill would make a nonsubstantive change to this requirement.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *Official court reporters and court reporters pro tempore*
4 *employed by the courts are currently paid under a dual*
5 *compensation structure in which the base salary of the court*
6 *reporter is supplemented by income from preparing required*
7 *transcripts and providing other required transcription services.*

8 (b) *The dual compensation structure protects the state from*
9 *bearing the full cost of transcript preparation and other*
10 *transcription services and avoids the resulting consequences of*
11 *overtime liability related to these services.*

12 (c) *The fees for original transcripts prepared by official court*
13 *reporters and court reporters pro tempore have not been adjusted*
14 *in 26 years, and fees for copies purchased at the same time as the*
15 *original transcript have only increased once in 103 years.*

16 (d) *In order to ensure full and fair compensation of official court*
17 *reporters and court reporters pro tempore employed by the court,*
18 *and in order to attract and retain official court reporters and court*
19 *reporters pro tempore employed by the courts that have sufficient*
20 *skills and competence to serve the needs of the justice system, it*
21 *is imperative that the system of dual compensation provide*
22 *sufficient payment for transcription services.*

(e) *Therefore, it is necessary to revise the fees for transcripts prepared by official court reporters and court reporters pro tempore.*

SEC. 2. *Section 69950 of the Government Code is amended to read:*

69950. (a) ~~The~~ *From January 1, 2017, to December 31, 2017, inclusive, the fee for transcription for the original ribbon or printed copy is ~~eighty-five cents (\$0.85)~~ ninety-eight cents (\$0.98) for each 100 words, and for each copy purchased at the same time by the court, party, or other person purchasing the original, ~~fifteen cents (\$0.15)~~ seventeen cents (\$0.17) for each 100 words.*

(b) ~~The~~ *From January 1, 2017, to December 31, 2017, inclusive, the fee for a first copy to any court, party, or other person who does not simultaneously purchase the original shall be ~~twenty cents (\$0.20)~~ twenty-three cents (\$0.23) for each 100 words, and for each additional copy, purchased at the same time, ~~fifteen cents (\$0.15)~~ seventeen cents (\$0.17) for each 100 words.*

(c) *This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.*

~~(e) Notwithstanding subdivisions (a) and (b), if a trial court had established transcription fees that were in effect on January 1, 2012, based on an estimate or assumption as to the number of words or folios on a typical transcript page, those transcription fees shall be the transcription fees for proceedings in those trial courts, and the policy or practice for determining transcription fees in those trial courts shall not be unilaterally changed.~~

SEC. 3. *Section 69950 is added to the Government Code, to read:*

69950. (a) *From January 1, 2018, to December 31, 2018, inclusive, the fee for transcription for the original printed copy is one dollar and thirteen cents (\$1.13) for each 100 words, and for each copy purchased at the same time by the court, party, or other person purchasing the original, twenty cents (\$0.20) for each 100 words.*

(b) *From January 1, 2018, to December 31, 2018, inclusive, the fee for a first copy to any court, party, or other person who does not simultaneously purchase the original shall be twenty-six cents (\$0.26) for each 100 words, and for each additional copy,*

1 *purchased at the same time, twenty cents (\$0.20) for each 100*
2 *words.*

3 *(c) This section shall become operative on January 1, 2018.*

4 *(d) This section shall remain in effect only until January 1, 2019,*
5 *and as of that date is repealed, unless a later enacted statute, that*
6 *is enacted before January 1, 2019, deletes or extends that date.*

7 *SEC. 4. Section 69950 is added to the Government Code, to*
8 *read:*

9 *69950. (a) On and after January 1, 2019, the fee for*
10 *transcription for the original printed copy is one dollar twenty-four*
11 *cents (\$1.24) for each 100 words, and for each copy purchased at*
12 *the same time by the court, party, or other person purchasing the*
13 *original, twenty-two cents (\$0.22) for each 100 words.*

14 *(b) On and after January 1, 2019, the fee for a first copy to any*
15 *court, party, or other person who does not simultaneously purchase*
16 *the original shall be twenty-nine cents (\$0.29) for each 100 words,*
17 *and for each additional copy, purchased at the same time,*
18 *twenty-two cents (\$0.22) for each 100 words.*

19 *(c) On or before April 1, 2020, and on or before each April 1*
20 *thereafter, the amounts described in subdivisions (a) and (b) shall*
21 *be increased proportionally by the increase in the Consumer Price*
22 *Index for All Urban Consumers, as published by the United States*
23 *Bureau of Statistics, for the previous calendar year, to be rounded*
24 *up to the nearest cent by the Administrative Office of the Courts.*
25 *The Administrative Office of the Courts shall also publish an*
26 *updated transcript fee schedule, and those increased fees shall*
27 *take effect on that April 1.*

28 *(d) This section shall become operative on January 1, 2019.*

29 *SEC. 5. Section 69951 of the Government Code is amended to*
30 *read:*

31 ~~69951. For transcription, in civil cases, the reporter may charge~~
32 ~~69951. The fee for transcription is an additional 50 percent for~~
33 ~~special daily copy service.~~

34 ~~SECTION 1. Section 8009 of the Business and Professions~~
35 ~~Code is amended to read:~~

36 ~~8009. Disciplinary proceedings under this chapter shall be~~
37 ~~conducted in accordance with Chapter 5 (commencing with Section~~

1 11500) of Part 1 of Division 3 of Title 2 of the Government Code
2 and the board shall have all the powers granted therein.

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